

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 ACDA-12 CIAE-00 INR-10 L-03
NSAE-00 NSC-05 EB-08 NRC-05 OES-09 SOE-02 DODE-00
SS-15 SP-02 CEQ-01 PM-05 AID-05 /109 W
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R 250920Z JUL 78
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC 7301
INFO USDOEHQ WASHDC
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USIAEA

DEPT PASS IO/SCT
DOE FOR AMMONS, IA

E.O. 11652: N/A
TAGS: AORG, EAID, IAEA, PARM
SUBJECT: IAEA TECHNICAL ASSISTANCE GUIDING PRINCIPLES

REFERENCE: STATE 181348

1. SUMMARY: JULY 19 INFORMAL CONSULTATION ON GUIDING PRINCIPLES FOR TECHNICAL ASSISTANCE SETTLED ALL BUT TWO ISSUES: SOVIET PROPOSED PREFERENCE FOR NPT PARTIES AND THE WORDING OF THE PROHIBITION ON TECHNICAL ASSISTANCE FOR NUCLEAR EXPLOSIVE PURPOSES. TIMELY RECEIPT OF DEPARTMENT'S INSTRUCTIONS (REFTEL) ENABLED MISSION TO OFFER US COMPROMISE ON LATTER POINT, WHICH IS NOW BEING CONSIDERED BY OTHER PARTIES. SECRETARIAT IS STILL TRYING TO FIND ALTERNATIVE SOLUTIONS IN EVENT US COMPROMISE DOES NOT RPT NOT SUCCEED AND CALLED ME IN JULY 21 TO DISCUSS THE QUESTION. END SUMMARY.

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2. DURING JULY 19 CONSULTATION ALL NONCONTROVERSIAL BRACKETED LANGUAGE WAS RESOLVED BY REMOVAL OF THE BRACKETS WHILE LEAVING THE TEXT (THE DRAFT OF JUNE 5 WAS USED), EXCEPT IN THE CASE OF PARAGRAPH 1.J WHERE THE COMPROMISE LANGUAGE APPROVED REFTEL WAS ADOPTED.

3. AT THE OPENING OF CONSIDERATION OF PARA. 1.I (ON NUCLEAR EXPLOSIVES), INDIAN REP REQUESTED AMANEMENT OF THE PRESENT FIRST SENTENCE TO READ "TECHNICAL ASSISTANCE SHALL NOT BE USED FOR THE MANUFACTURE OF ANY NUCLEAR WEAPONS." NO OTHER SPEAKERS ENDORSED THE INDIAN PROPOSAL. WHEN US REP OFFERED US COMPROMISE LANGUAGE, THE INDIAN SUGGESTED DELETION OF THE SPECIFIC REFERENCE TO NUCLEAR EXPLOSIVE DEVICES STARTING WITH THE WORDS "SUCH AS." US SPOKE AGAINST THIS SUGGESTION. EGYPTIAN REP SAID THAT THE FIRST SENTENCE OF THE COMPROMISE LANGUAGE WAS REDUNDANT OF PARA. 1.E OF JUNE 5 DRAFT, BUT OTHERWISE DID NOT COMMENT ON SUBSTANCE OF PROPOSAL. ROMANIAN REP FOUND THE US PROPOSED COMPROMISE "HELPPFUL." FRENCH REPS SUPPORTED THE COMPROMISE, AND CANADIAN CALLED IT "ATTRACTIVE." THERE WAS NO EXTENSIVE DISCUSSION OF THE PROPOSAL, HOWEVER, AS IT WAS NEW LANGUAGE IN A SENSITIVE AREA AND NO OTHER GOVERNMENT HAD STUDIED IT. ARGENTINE REP DID NOT ATTEND THESE CONSULTATIONS, APPARENTLY DUE TO THE IMPENDING VISIT OF HIS FOREIGN MINISTER.

4. THE CONSULTATIONS CONCLUDED WITH THE ACTING CHAIRMAN (DR. SPILKER OF THE FRG MISSION) ANNOUNCING THAT A NEW PAPER REFLECTING THE RESULTS OF THIS CONSULTATION WOULD BE ISSUED, WITH THE US COMPROMISE LANGUAGE INCLUDED BY FOOTNOTE AS AN ALTERNATIVE TO THE PRESENT LIMITED OFFICIAL USE

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FIRST SENTENCE OF PARA. 1.I.

5. DEPUTY DIRECTOR FOR TECHNICAL ASSISTANCE BITTENCOURT, FLANKED BY ASSISTANT DIRECTOR GENERAL FISCHER AND DG'S SPECIAL ASSISTANT MEHTA, CALLED ME IN JULY 21 TO EXPRESS THEIR CONCERN THAT US INSISTENCE ON ITS POSITION ON THE NUCLEAR EXPLOSIVES LANGUAGE WOULD "KILL THE GUIDING PRINCIPLES." THEY ASKED AGAIN IF US COULD ACCEPT THE LANGUAGE OF THE JUNE 5 DRAFT PLUS A SECRETARIAT STATEMENT, EITHER ORALLY AT THE BOARD OR IN THE FORM OF A WRITTEN FOOTNOTE, TO THE EFFECT THAT THE SECRETARIAT HAD ALWAYS INTERPRETED AND WOULD CONTINUE TO INTERPRET THIS LANGUAGE AS PROHIBITING ANY ASSISTANCE RELATED TO NUCLEAR EXPLOSIVE ACTIVITIES. I READ FROM DEPARTMENT'S CLEAR AND FIRM INSTRUCTIONS ON THIS POINT (PARA 1 REFTTEL). I ALSO SAID WE HAD BEEN PROMISED A REACTION FROM ARGENTINA TO OUR COMPROMISE AND THAT WE WOULD BE TALKING TO OTHER DELEGATIONS. I SAID, IN RESPONSE TO A QUESTION, THAT I DID NOT RPT NOT OBJECT TO SECRETARIAT'S DRAFTING WHAT IT CONSIDERED THE STRICTEST FEASIBLE LANGUAGE FOR A FOOTNOTE, THOUGH I HAD GRAVE DOUBTS AS TO WHETHER

WASHINGTON WOULD GO ALONG WITH SUCH A COMPROMISE, OR
INDEED WHETHER I WOULD RECOMMEND THAT THEY DO SO.

6. FURTHER DISCUSSION REVEALED THAT THE SECRETARIAT'S
MOST IMPORTANT PROBLEMS WOULD BE SOLVED IF THE OPERATING
RULES WERE APPROVED, AND ONE POSSIBILITY DISCUSSED WAS
FOR THE BOARD TO APPROVE THE OPERATING RULES "FOR THE
SAKE OF ADMINISTRATIVE EFFICIENCY," WHILE LEAVING THE
GUIDING PRINCIPLES UNRESOLVED. WE SAID THAT WE WERE
NOT RPT NOT SURE WHETHER THIS WOULD BE AGREEABLE TO
USG, BUT THAT IT COULD BE CONSIDERED IF IT APPEARED
THE US COMPROMISE LANGUAGE WAS NOT RPT NOT ACCEPTABLE.
THIS MISSION WILL BE STUDYING THE IMPLICATIONS OF THIS

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POSSIBLE COURSE OF ACTION AND MEANWHILE WILL SEE IF WE
CAN GAIN ACCEPTANCE FOR THE COMPROMISE LANGUAGE WE PUT
FORWARD AT THE JULY 19 MEETING.

7. THE SOVIET PROPOSED PREFERENCE FOR NPT PARTIES
WAS NOT RPT NOT DISCUSSED IN DEPTH AT JULY 19 MEETING,
THOUGH US REP MADE STATEMENT CLARIFYING US POSITION.
MISOFFS MET WITH SOVIETS JULY 25 TO DISCUSS THIS
QUESTION. SOVIET REP INDICATED THAT SOVIETS WERE
PREPARED "AT THE MISSION LEVEL" EVENTUALLY TO
ACCEPT DELETION OF PARA 1.K OF THE GUIDING PRINCIPLES
AND TO CONTENT THEMSELVES WITH ORAL STATEMENT OF
SOVIET VIEWS ON THE MATTER OF TECHNICAL ASSISTANCE
FOR NON-NPT MEMBER STATES. KIRK

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